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E-FILED

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PARK VILLAGE APARTMENTS
TENANTS ASSOCIATION, WILLIAM
FOSTER, SHIRLEY SMITH, ANAHID
ISSAHAKIAN, PATRICIA JOHNSON,
MARTIN KOCH, LAWRENCE LEE,
FOSTER REUBEN, MARIA LILLIAN
SANCHEZ, ALISON WRIGHT and
CORNELIUS WEEKLEY,

Plaintiffs,

v.

MORTIMER HOWARD TRUST,
MORTIMER R. HOWARD,

Defendants.

Case No. C-09-4780 EDL

**JOINT REQUEST TO CONTINUE
SETTLEMENT CONFERENCE AND
[PROPOSED] ORDER**

1 Plaintiffs, PARK VILLAGE APARTMENT TENANTS ASSOCIATION, et al. (Plaintiffs)
2 and Defendants, MORTIMER HOWARD TRUST and MORTIMER HOWARD (Defendants), in
3 the above-entitled action, by and through respective counsel, hereby request that the settlement
4 conference with Magistrate Judge Beeler, be continued to June 22, 2012 at 9:30 a.m.

5 The reasons for this continuance request include:

6
7 1. The parties are currently engaged in settlement discussions and significant progress
8 has been made toward a final stipulated agreement to make the preliminary injunction upheld by
9 the Ninth Circuit on February 24, 2011 permanent.

10 2. This agreement will be a resolution of all issues and will include a dismissal of the
11 case.

12 3. The parties agree that only a few negotiation points remain and feel it would be more
13 productive at this time to continue settlement negotiations between themselves with the goal of a
14 final resolution.

15 Additionally, Defendants also request that the deadline for filing the answer also be
16 extended to June 21, 2012, the day before the reset settlement conference date.
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19
20 RESPECTFULLY SUBMITTED,

BAY AREA LEGAL AID
Lisa S. Greif
Naomi Young
Robert Capistrano

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James R. Grow
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25 Dated: 5/16/2012

/s/ Lisa S. Greif

Lisa S. Greif
Attorneys for Plaintiffs

SWIHART AND ASSOCIATES
Thomas Swihart

Dated: 5/15/2012

/s/ Thomas M. Swihart
Thomas M. Swihart
Attorneys for Defendants

I hereby attest that I have on file all holograph signatures for any signatures indicated by a
"conformed" signature (/s/) within this efiled document.

Dated: 5/16/2012

By: /s/ Lisa S. Greif
LISA S. GREIF
Attorneys for Plaintiffs

ORDER

The Court having read and considered the Parties' request to continue the settlement conference and good cause appearing,

IT IS ORDERED that the request is granted.

The settlement conference will be reschedule to June 22, 2012 at 9:30 a.m. and

Defendants' answer will be due on June 21, 2012.

The Notice and Scheduling Order issued on January 24, 2012, Docket No.84 remains in affect.

DATED: May 17, 2012



UNITED STATES DISTRICT JUDGE
Laurel Beeler